



NASA Policy Directive

NPD 1382.17GEffective Date: August 24, 2004
Expiration Date: August 24, 2009**COMPLIANCE IS MANDATORY**[Printable Format \(PDF\)](#)

Subject: NASA Privacy Policy

Responsible Office: Office of the Chief Information Officer

1. Policy

a. It is NASA policy to protect information in identifiable form that is collected, used, maintained, and disseminated by the Agency. Information in identifiable form includes that which directly identifies an individual by name, address, social security number or other identifying number or code, or other identifying particular assigned to the individual; or a combination of other data elements that could specifically identify an individual when used together, such as gender, race, birth date, and geographic indicators.

b. NASA's protections for information in identifiable form are responsive to requirements outlined in the Privacy Act of 1974 and amendments, and in other federal statutes and guidance including the E-Government Act of 2002, the Children's Online Privacy Protection Act, and Office of Management and Budget (OMB) memoranda and circulars.

c. The Privacy Act regulates the collection, maintenance, use, and dissemination of information in identifiable form by federal executive branch agencies. It restricts disclosure of records containing information in identifiable form, grants individuals rights of access and amendment to agency records pertaining to themselves, and requires agencies to comply with statutes for the collection, maintenance, and dissemination of records containing information in identifiable form.

d. Other Federal direction, including the statutes and guidance cited above, focuses on privacy protections required due to the use of electronic mechanisms for the collection, use, maintenance, and dissemination of information in identifiable form. NASA must conduct reviews of how planned or existing information technology (IT) is used to collect information in identifiable form, and must describe how they handle and protect information in identifiable form that is provided electronically.

e. These protections shall be applied to information pertaining to individuals, including Agency employees as well as members of the public, with special actions required when handling information in identifiable form from children. Specific protections apply to information in identifiable form as it is collected, used, maintained, and disseminated by the Agency.

1. Information Collection. NASA shall protect information in identifiable form whether collected via paper methods or automated applications such as on-line forms, e-mail, or Web interfaces. NASA shall provide notice to individuals when information in identifiable form is collected, and inform them of the protections afforded when they provide such information to the Agency. When collecting information in identifiable form from individuals under the age of 13, NASA must provide conspicuous notice of what is collected, how it is used, and disclosure practices, and must obtain parental consent where applicable. Agency use of tracking and customization technologies that place some information on a user's machine shall be employed only if needed to meet a compelling requirement, and then approved and managed in accordance with governing regulations.

2. Information Use. NASA must conduct privacy planning for new or significantly modified IT systems or collections of information from the public through the use of Privacy Impact Assessments (PIAs) as required by the E-Government Act of 2002. A PIA is an analysis of how information in identifiable form is handled to ensure handling conforms to privacy requirements, to determine the risks of handling such information, and to evaluate options for protecting the information. Per the Privacy Act, individuals may request access to their own records containing information in identifiable form and may request amendment of a record pertaining to him or her. NASA's Privacy Act regulations are published at 14 CFR Part 1212.

3. Information Maintenance. NASA systems, regardless of format, that process or contain information in identifiable form shall have appropriate controls for retrieval, access, retention, transmission, and disposal. Information in identifiable form contained within NASA Privacy Act Systems of Records shall be managed in accordance with the

Privacy Act and system descriptions shall be published in the Federal Register. Privacy Act Systems of Records are collections that contain information retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual. To enhance the privacy protection of NASA employees, contractors, and others that interact with the Agency, social security numbers (SSNs) shall not be used except when mandated by external requirements. Systems that currently employ SSNs shall work with the NASA Chief Information Officer's (CIO) office to establish a plan to use Agency-specific identifiers in lieu of SSNs.

4. Information Dissemination. NASA shall only disclose information in identifiable form in order to achieve the purpose for which the information was collected, the routine uses that are noticed in the Federal Register for information contained in a Privacy Act system of records, and for legal exceptions specified in the Privacy Act. Other than Privacy Act exceptions or the routine uses specified in the Federal Register, no NASA employee or contractor shall disclose any information in identifiable form or record containing such information to any other person or agency without the written consent of the person to whom the information pertains.

2. Applicability

This NPD applies to NASA Headquarters and NASA Centers, including component facilities; and to contractors or other entities that create and/or maintain information in identifiable form for, or on behalf of, NASA as specified in their contract or other governing agreement.

3. Authority

- a. National Aeronautics and Space Act of 1958 § 203(c)(1), 42 U.S.C. § 2473 (c)(1), as amended.
- b. E-Government Act of 2002, Pub. Law No. 107-347, codified at 44 U.S.C. §§ 101 et seq., as amended.
- c. Privacy Act of 1974, 5 U.S.C. § 552a (1988).
- d. Federal Information Security Management Act of 2002, Pub. Law No. 107-296, codified at 6 U.S.C. §§ 101 et seq., as amended.
- e. Paperwork Reduction Act of 1995, 44 U.S.C. §§ 3501 et seq., as amended.
- f. Children's Online Privacy Protection Act, 15 U.S.C. §§ 6501 et seq., as amended.

4. References

- a. NASA Privacy Act Regulations, 14 CFR Part 1212.
- b. Management of Federal Information Resources, OMB Circular A-130.
- c. Privacy Policies on Federal Web Sites, OMB Memorandum M-99-18.
- d. Privacy Policies and Data Collection on Federal Web Sites, OMB Memorandum M-00-13.
- e. OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002, OMB Memorandum M-03-22.
- f. NPD 1440.6G, NASA Records Management.
- g. NPR 1441.1D, NASA Records Retention Schedules.

5. Responsibility

- a. The NASA CIO is responsible for implementation of the Privacy Act, including the establishment of Agency requirements documents and designation of a NASA Privacy Act Officer. In the event that the Agency decides to participate in a computer-matching program involving Privacy Act Systems of Records, as defined in the Privacy Act, the CIO shall initiate the formation of a Data Integrity Board to direct the program. The CIO is also responsible for ensuring compliance with privacy provisions contained in Federal statutes other than the Privacy Act. The CIO develops NASA's Web privacy notices and disclaimer statements and directs their inclusion in standard machine-readable format on publicly accessible Agency Web sites; develops and disseminates Agency guidance for complying with the Children's Online Privacy Protection Act (COPPA); and authorizes use of tracking and customization technologies when required to meet a compelling need, reporting such use to OMB as required.
- b. The CIO establishes an Agency process for conducting PIAs, reviews and approves PIAs for new or revised IT systems or collections of information from the public that require them, and makes approved PIA documents publicly available, consistent with Federal policy.
- c. Officials-in-Charge of Headquarters Offices and NASA Center Directors shall ensure compliance with NASA privacy policy and requirements. NASA Center Directors shall designate a Center Privacy Act Manager.

1. Center CIOs shall ensure Center adherence to NASA privacy policy and requirements within stipulated timeframes through their interfaces with the NASA CIO, Center Privacy Act Managers, and system responsible officials to implement appropriate safeguards for collection, use, maintenance, and dissemination of information in identifiable form.
2. The NASA Privacy Act Officer shall coordinate issues associated with the Agency's privacy policy. The NASA Privacy Act Officer maintains Agency rules that allow individuals to request access to or amendment of records pertaining to themselves; disseminates requirements for Privacy Act compliance to Center Privacy Act Managers and system responsible officials, and reviews and approves Privacy Act Federal Register notices prior to publication; provides advice on requirements for protection of information in identifiable form; and assists NASA personnel in determining the appropriate course of action for handling information in identifiable form when external agencies or organizations are involved.
3. Center Privacy Act Managers shall assist Center system responsible officials in preparing Privacy Act Federal Register notices, review the adequacy of system control procedures and safeguards, and serve as the interface between the NASA Privacy Act Officer and Center system responsible officials.
4. NASA Web site responsible officials shall ensure that information in identifiable form that is collected from users via NASA Web sites is protected in accordance with Federal regulations and policy, and that all relevant Agency notices are accessible from their Web sites.
5. Responsible officials for on-line forms shall ensure secure transmission and storage of information in identifiable form collected through on-line NASA forms, and retention of such data for the least amount of time necessary to assure high quality and expedient service.
6. Responsible officials for NASA systems that include information in identifiable form shall ensure that no such information is disclosed or replicated, except as permitted by NASA policy or by law. To ensure the security and confidentiality of information in identifiable form and Privacy Act records, system owners shall ensure that information in identifiable form is adequately safeguarded according to Federal and Agency requirements. System responsible officials shall ensure records in systems are scheduled and dispositioned in accordance with the NASA Records Retention Schedules, and shall initiate new or updated Federal Register notices, as appropriate, for those systems that meet the definition of a Privacy Act System of Records.
7. Certain individuals that handle information in identifiable form as a regular part of their job have special responsibilities with respect to ensuring privacy protections. Personnel that handle personnel files and the information contained within shall follow privacy procedures for personnel records per Office of Personnel Management guidance issued in the Code of Federal Regulations (CFR). Personnel that handle health-related information in personally identifiable form, in medical or human research contexts, shall ensure compliance with related privacy provisions codified in the CFR and other Federal legislation and guidance.
8. All NASA employees and contractors are responsible for understanding their responsibilities and rights with respect to information in identifiable form. Supervisors of personnel that handle information in identifiable form shall ensure that their personnel are aware of what precautions should be taken to protect it. Individuals who handle information in identifiable form shall follow established procedures and guidelines for its protection. When proper action with respect to the handling of information in identifiable form is unclear, or when initiating a new activity related to or utilizing information in identifiable form, NASA personnel shall consult with the Agency's Privacy Act Officer and legal counsel.

6. Delegation of Authority

The NASA CIO is delegated authority to carry out the functions and exercise the authority vested in the Administrator to implement, oversee, and manage privacy policy within the Agency pursuant to the Authorities cited above.

7. Measurements

In assessing whether NASA is in compliance with the current directives or regulations, as applicable, the Agency will accomplish the following:

- a. The NASA CIO shall biennially publish a Federal Register Privacy Act notice, as required.
- b. Center CIOs shall establish and maintain an inventory of their Center's publicly accessible Web sites, identify those that use tracking and customization technologies, and document approval of such technology use.
- c. Responsible NASA officials for sites subject to COPPA shall provide appropriate notices on their sites.
- d. The NASA CIO shall provide OMB with PIAs for planned relevant IT systems and collections of information from the public as required.

8. Cancellation

NPD 1382.17F dated April 25, 2002.

/s/ Sean O'Keefe
Administrator

Attachment A: (Text)

(URL for Graphic)

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